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DISMISSAL

- against -

NEW YORK PRESBYTERIAN HEALTHCARE SYSTEM, INC., et al.,

Defendants.

The parties having notified the Court that they have nearly reached a resolution of this action,

IT IS HEREBY ORDERED that this action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within thirty days of the date of this Order, counsel for any party may apply by letter for restoration of the action to the calendar of the undersigned if the settlement is not effected, in which event the action will be restored.

SO ORDERED:

07 Civ. 3112 (SAS)

Shira A. Scheindlin

HSDI

Dated: New York, New York

February 15, 2008

- Appearances -

For Plaintiff:

Adam Charles Virant, Esq. Karpf, Karpf & Virant 140 Broadway, 46th Floor New York, NY 10005 (212) 929-6030

For Defendants:

James Stuart Frank, Esq. Epstein Becker & Green, P.C. 250 Park Avenue New York, NY 10177 (212) 351-4500